

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TRAVIS M GLENN,
Plaintiff,

V.

AMERICO LIFE AND ANNUITY
COMPANY,

Defendant.

CASE NO. 2:23-cv-01796-JHC

ORDER TO SHOW CAUSE

Before the Court is Plaintiff Travis M. Glenn's complaint. Dkt. # 5. The complaint alleges that Defendant Americo Life and Annuity Company wrongfully terminated Plaintiff's appointments; engaged in malicious and unfair business practices; and breached the agreement between the parties. Dkt. # 5. But the complaint fails to provide an adequate basis for subject matter jurisdiction over this action.

Plaintiff appears to assert that the Court's subject matter jurisdiction is based on diversity of citizenship. Dkt. # 5 at 1 ("Jurisdiction is proper in this Court pursuant to original jurisdiction of this Court set forth in U.S.C. SS 118, 1391 [sic] and, [sic] Plaintiff and Defendant are diverse."). The party invoking jurisdiction must allege facts that establish the court's subject matter jurisdiction. *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560-61 (1992). Federal

1 diversity jurisdiction requires complete diversity of citizenship between the parties. *See Morris*
2 *v. Princess Cruises, Inc.*, 236 F.3d 1061, 1067 (9th Cir. 2001). The “PARTIES” section of the
3 complaint alleges that Plaintiff is a resident of Washington state. Dkt. # 5 at 2. But as to
4 Defendant, Plaintiff lists only a Missouri post office Box. Dkt. # 5 at 2. “The federal diversity
5 jurisdiction statute provides that ‘a corporation shall be deemed to be a citizen of every State and
6 foreign state by which it has been incorporated and of the State or foreign state where it has its
7 principal place of business.’” *Harris v. Rand*, 682 F.3d 846, 850 (9th Cir. 2012) (citing 28
8 U.S.C. § 1332(c)(1)). Without full information on Defendant’s citizenship, the Court cannot
9 determine whether there is complete diversity of citizenship between the parties.

10 Accordingly, the Court ORDERS Plaintiff to SHOW CAUSE why this case should not be
11 dismissed for lack of subject matter jurisdiction. If Plaintiff fails to provide the Court with the
12 information described above within fourteen (14) days of the date of this order, the Court will
13 dismiss this case without prejudice.

14 Dated this 27th day of November, 2023.

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John H. Chun

16 John H. Chun
United States District Judge
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